

GOVERNMENT OF TELANGANA
ABSTRACT

VIGILANCE-DTCP- Allegation against Sri K. Anand Babu, former City Planner (H.O), Circle No.1, Municipal Corporation of Hyderabad (now Greater Hyderabad Municipal Corporation) on regularization of unauthorized construction in respect of "Prem Chambers" premises No.16-11-492/A, Dilsukhnagar - Departmental proceedings initiated- Enquiry Officer & Presenting Officer appointed- High Court Orders in WP No.25198/2021-Cancelled - Orders - Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (Vig-III) DEPARTMENT

G.O.Rt.No. 396

Dated: 29-08-2024

Read the following:-

1. From the Commissioner, MCH, Lr. No.152/V1/Vig.(Admin)/MCH/ 2006/520, dt.15.06.2006.
2. G.O.Rt No.1312, MA&UD (V.III) Deptt., dt.18.11.2006.
3. G.O.Rt No.509 & 510, MA&UD (Vig.II) Deptt., dt.24.08.2017.
4. G.O.Rt No.267, MA&UD (Vig.III) Deptt., dt.31.03.2021.
5. High Court Orders in WP No.25198/2021, dt.12.06.2023, filed by K. Anand Babu, DTCP (Rtd.).
6. From the DTCP, Hyd., Lr. Roc No.2247/2017/M1-P, dt.11.07.2023.
7. High Court Notice in CC No.96/2024 in WP No.25198/2021, filed by K. Anand Babu, DTCP (Rtd.).

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ORDER:

In the reference 1st read above, the Commissioner, Municipal Corporation of Hyderabad, has stated that a joint inspection was conducted on 20.10.2005 for Malakpet Constituency. During the course of inspection, pointed out the constructions in the cellar, which were permitted for parking areas, that has caused acute traffic problems along the Dilsukhnagar road and Moosarambagh and the responsibility mainly lies with the staff for regularization of parking areas and requested to initiate disciplinary action against Sri K. Anand Babu, former City Planner, (H.O), Circle. No.I, Municipal Corporation of Hyderabad and other 3 officers.

2. Accordingly, Government, initiated Departmental proceedings by issuing Article of Charges to Sri K. Anand Babu, former City Planner, (H.O), Circle. No.I, MCH, vide reference 2nd read above, as he committed grave misconduct in as much as he allowed the builder to convert the cellar floor into shops and regularized as hall in violation of provisions of G.O.Ms.No.356 read with G.O.Ms.No.243 in file No. 1405/TP/A8/HO/98, in respect of building at premises No.16-11-492/A, "Prem Chambers" situated at Dilsukhnagar belongs to Sri G.Anjeelana & Sons. Whereas in G.O.Ms.No.87, MA, dated 12.02.1992 at Para 2 it is clearly stated that the constructions can be regularized if they do not affect in public interest or interfere with the public activity which obviously implies that the parking areas of the permitted plans can never be regularized as they will lead to traffic problems and there by allowed the builder to complete the construction of the said building against the Government orders and failed to maintain absolute integrity in violation of section 3(1) (2) of APCS (conduct) Rules 1964 and Rule 3(1) and (2) of the HMC (Employee Conduct)Rule 1968.

3. In the reference 3rd & 4th read above, Government have appointed Enquiry Officer and Presenting Officer to enquire into the charges framed against the Charged officer Sri Anand Babu, former City Planner.

4. In the reference 5th read above, Sri K. Anand Babu, Director of Town & Country Planning (Retired), has filed WP No.25198 of 2021 with a prayer to declare the proceedings bearing G.O. Rt No.509, MA&UD (Vig.II) deptt., dt.24.08.2017, G.O.Rt No.267, MA&UD (Vig.III) deptt., dt.31.03.2021, appointing an Enquiry Officer & Presenting Officer respectively for the disciplinary proceedings vide Charge Memo bearing G.O.Rt.No.1312, MA&UD (E2) Deptt., dt.18.11.2006, which is not communicated to the petitioner and delinquency pertains to the year 1997-98 and continuance of the prolonged disciplinary proceedings without even commencing the same so far and non releasing the entire pensionary benefits including Gratuity etc., through the retired from service as along back as on 30.06.2017 and set aside the disciplinary proceedings. The Hon'ble High Court has made the following order in WP No.25198/2021, dt.12.06.2023:-

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"In view of the above finding, this Writ Petition is allowed by setting aside the impugned proceedings in G.O.Rt.No.509, MA & UD (Vig.II) Department dated 24.08.2017, G.O.RL.No.267, MA&UD (Vig.III) Department dated 31.03.2021 in so far as the petitioner is concerned and also the Charge Memo issued in G.O.Rt.No. 1312, MA & UD (E2) Department Dated 18.11.2006 and further the respondents are directed to release the entire pensionary benefits to the petitioner from the date of his retirement i.e.,30.06.2017 within twelve (12) weeks from the date of receipt of copy of this order."

5. In the reference 6th read above, the Director of Town & Country Planning, Hyderabad, while enclosing the above said High Court Order and application of the Charged Officer dt.23.06.2023, has requested to issue necessary orders for taking further action.

6. In the reference 7th read above, Sri K. Anand Babu, DTCP (Retired), has filed Contempt Case No.96 of 2024 in WP No.25198/2021.

7. Government after careful examination of the matter, have decided to cancel G.O.Rt.No.1312, MA & UD (E2) Deptt., dt.18.11.2006; G.O.Rt.No.509, MA&UD (Vig.II) deptt., dt.24.08.2017 and G.O.Rt.No.267, MA&UD (Vig.III) deptt., dt.31.03.2021, wherein the Charges have been issued and appointed Enquiry Officer and Presenting Officer respectively, on allegations against Sri Anand Babu, former City Planner (Retired) and also release the entire pensionary benefits to him from the date of his retirement i.e., 30.06.2017.

8. Accordingly, Government hereby cancels orders G.O.Rt.No. 1312, MA & UD (E2) Deptt., dt.18.11.2006; G.O. Rt No.509, MA&UD (Vig.II) deptt., dt.24.08.2017 and G.O. Rt No.267, MA&UD (Vig.III) deptt., dt.31.03.2021 and also *release the entire pensionary benefits to Sri K. Anand Babu, former City Planner (Retired) from the date of his retirement i.e.,30.06.2017.*

9. The Director of Town & Country Planning, Hyderabad, shall take further necessary action, accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**M. DANA KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director of Town & Country Planning, Hyderabad.

Sri K. Anand Babu, former City Planner (Retired), (H.O), Circle. No.I, Municipal Corporation of Hyderabad now Greater Hyderabad Municipal Corporation, Hyderabad -through the DTCP, Hyderabad / Commissioner, GHMC, Hyderabad.

The Commissioner, GHMC, Hyderabad

Copy to:

The P.S. to Special Secretary to Chief Minister.

The OSD to Principal Secretary to Government, MA&UD Department,

The Secretary to Vigilance Commissioner, Telangana Vigilance Commission, Hyd.

The Government Pleader, Services-I, High Court, Hyderabad (W.r.to CC.No.96/2024 in W.P.No.25198/2021).

Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER